

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMMART FASHION CO. LTD.,	:	x
	:	:
Plaintiff,	:	07 CV 4035 (DAB)
	:	:
- against -	:	<u>NOTICE OF MOTION TO DISMISS</u>
	:	:
WEAR ME APPAREL CORP. d/b/a KIDS HEADQUARTERS and HEYMAN CORPORATION,	:	
	:	
Defendants.	:	

x

Please take notice that, upon the annexed declaration of Jeremy A. Cohen, dated July 31, 2007, and the accompanying memorandum of law, defendant Wear Me Apparel LLC d/b/a Kids Headquarters, as successor by merger to Wear Me Apparel Corp. d/b/a Kids Headquarters, ("Wear Me") will move this Court, before the Honorable Deborah A. Batts, in Courtroom 24B, at the United States Courthouse, 500 Pearl Street, New York, New York, at a time and date convenient for the Court, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the Complaint as to Wear Me with prejudice, and for such other relief as the Court deems just and proper.

Dated: New York, New York
July 31, 2007

By: /s/ Jeremy A. Cohen
Jonathan M. Wagner (JW-7197)
Jeremy A. Cohen (JC-6602)

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